

APPENDIX B**BASIC INSTRUCTIONS TO OFFERORS, INSTRUCTIONS FOR PROPOSAL PREPARATION, AND NOTICE TO OFFERORS****TABLE OF CONTENTS**

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1.0 BASIC INSTRUCTIONS TO OFFERORS

(a) *Definitions.* As used in this provision --

Discussions are negotiations that occur after establishment of the competitive range that may, at the Business Representative's discretion, result in the Offeror being allowed to revise its proposal.

Exchanges are communications for the purpose of clarifying certain aspects of proposals (e.g., the relevance of an Offeror's past performance information and adverse past performance information to which the Offeror has not previously had an opportunity to respond) or to resolve a minor or clerical error. These communications do not constitute discussions.

In writing or written means any worded or numbered expression, which can be read, reproduced, and later communicated, and includes electronically transmitted and stored information.

Proposal modification is a change made to a proposal before the solicitation's closing date and time, or made in response to an amendment, or made to correct a mistake at any time before selection of Offeror(s).

Proposal revision is a change to a proposal made after the solicitation closing date, at the request of or as allowed by a Business Representative as the result of negotiations.

Time, if stated as a number of days, is calculated using calendar days, unless otherwise specified, and will include Saturdays, Sundays, and legal holidays. However, if the last day falls on a Saturday, Sunday, or legal holiday, then the period shall include the next working day.

(b) *Amendments to solicitations.* If this solicitation is amended, all terms and conditions that are not amended remain unchanged. Offerors shall acknowledge receipt of any amendment to this solicitation by the date and time specified in the amendment(s).

(c) *Submission, modification, revision, and withdrawal of proposals.*

(1) Proposals and modifications to proposals shall be submitted in paper media in sealed envelopes or packages. Ensure that the proposal is marked on the outermost wrapper with the following information:

(i) addressed to the office specified below, and

SMC/XPX (Attn: Ms Ann Justice)
2420 Vela Way, Suite 1467
El Segundo, CA 90245

(ii) showing the time and date specified for receipt, the solicitation name (SAMS Project), and the name and address of the Offeror.

(2) The first page of the proposal must show --

(i) The solicitation name (SAMS Project);

(ii) The name, address, and telephone and facsimile numbers of the Offeror (and electronic address if available);

(iii) A statement specifying the extent of agreement with all terms, conditions, and provisions included in the solicitation and agreement to furnish any or all items upon which prices are offered at the price set opposite each item;

(iv) Names, titles, and telephone and facsimile numbers (and electronic addresses if available) of persons authorized to negotiate on the Offeror's behalf with the Government in connection with this solicitation; and

(v) Name, title, and signature of person authorized to sign the proposal. Proposals signed by an agent shall be accompanied by evidence of that agent's authority, unless that evidence has been previously furnished to the issuing office.

(3) Submission, modification, revision, and withdrawal of proposals.

(i) Offerors are responsible for submitting proposals, and any modification, or revisions, so as to reach the Government office designated in the solicitation by 3:00 p.m., local time, on the date that proposal or revision is due. For Phase I, the due date is **10 Sep 01.**

(ii)(A) Any proposal, modification, or revision received at the Government office designated in the solicitation after the exact time specified for receipt of offers is "late" and will not be considered unless it is received before selection of Offeror(s) is made, the Business Representative determines that accepting the late offer would not unduly delay the acquisition; and --

(1) If it was transmitted through an electronic method authorized by the solicitation, it was received at the initial point of entry to the Government infrastructure not later than 5:00 p.m. one working day prior to the date specified for receipt of proposals; or

(2) There is acceptable evidence to establish that it was received at the Government installation designated for receipt of offers and was under the Government's control prior to the time set for receipt of offers; or

(3) It is the only proposal received.

(B) However, a late modification of an otherwise successful proposal that makes its terms more favorable to the Government will be considered at any time it is received and may be accepted.

(iii) Acceptable evidence to establish the time of receipt at the Government installation includes the time/date stamp of that installation on the proposal wrapper, other documentary evidence of receipt maintained by the installation, or oral testimony or statements of Government personnel.

(iv) If an emergency or unanticipated event interrupts normal Government processes so that proposals cannot be received at the office designated for receipt of proposals by the exact time specified in the solicitation, and urgent Government requirements preclude amendment of the solicitation, the time specified for receipt of proposals will be deemed to be extended to the same time of day specified in the solicitation on the first work day on which normal Government processes resume.

(v) Proposals may be withdrawn by written notice received at any time before selection of Offeror(s). Proposals may be withdrawn in person by an Offeror or an authorized representative, if the identity of the person requesting withdrawal is established and the person signs a receipt for the proposal before selection of Offeror(s). Withdrawals are effective upon receipt of notice by the Business Representative.

(4) Offerors shall submit proposals in response to this solicitation in English.

(5) Offerors may submit modifications to their proposals at any time before the solicitation closing date and time, and may submit modifications in response to an amendment, or to correct a mistake at any time before selection of Offeror(s).

(6) Offerors may submit revised proposals only if requested or allowed by the Business Representative.

(7) Offerors may submit alternate proposals. However, each proposal submitted shall be stand alone and subject to all RFP requirements.

(d) *Offer expiration date.* Proposals in response to this solicitation will be valid for 180 days (unless a different period is proposed by the Offeror).

(e) *Restriction on disclosure and use of data.* Offerors that include in their proposals data that they do not want disclosed to the public for any purpose, or used by the Government except for evaluation purposes, shall --

(1) Mark the title page with the following legend:

This proposal includes data that shall not be disclosed outside the Government and shall not be duplicated, used, or disclosed -- in whole or in part -- for any purpose other than to evaluate this proposal. If, however, an Offeror is selected as a result of -- or in connection with -- the submission of this data, the Government shall have the right to duplicate, use, or disclose the data to the extent provided in the resulting business arrangement. This restriction does not limit the Government's right to use information contained in this data if it is obtained from another source without restriction. The data subject to this restriction are contained in sheets [insert numbers or other identification of sheets]; and

(2) Mark each sheet of data it wishes to restrict with the following legend:

Use or disclosure of data contained on this sheet is subject to the restriction on the title page of this proposal.

(f) *Selection of Offerors.*

(1) The Government intends to select an Offeror(s) whose proposal(s) represents the best value after evaluation in accordance with the factors and subfactors in the solicitation.

(2) The Government may reject any or all proposals if such action is in the Government's interest.

(3) The Government may waive informalities and minor irregularities in proposals received.

(4) The Government reserves the right to evaluate proposals and select Offerors without discussions (except clarifications as described in the source selection plan). Therefore, the Offeror's initial proposal should contain the Offeror's best terms from a cost or price and technical standpoint. The Government reserves the right to conduct discussions if the Business Representative determines them to be necessary. If the Business Representative

determines that the number of proposals that would otherwise be in the competitive range exceeds the number at which an efficient competition can be conducted, the Business Representative may limit the number of proposals in the competitive range to the greatest number that will permit an efficient competition among the most highly rated proposals.

(5) Exchanges with Offerors after receipt of a proposal do not constitute a rejection or counteroffer by the Government.

(6) If a cost realism analysis is performed, cost realism may be considered by the source selection authority in evaluating performance or schedule risk.

(7) A written notice of acceptance of proposal mailed or otherwise furnished to the successful Offeror within the time specified in the proposal shall result in a binding contract without further action by either party.

(8) The Government may disclose the following information in post selection debriefings to other Offerors:

- (i) The overall evaluated cost or price and rating of the successful Offeror;
- (ii) The overall ranking of all Offerors, when any ranking was developed by the agency during source selection; and
- (iii) A summary of the rationale for selection.

2.0 GUIDELINES FOR PROPOSAL PREPARATION

The following information is provided to assist Offerors in understanding this solicitation and preparing their proposal. Offeror actions are noted as applicable.

- a) Appendix A - SAMS Facility Requirements and Design Guide. This is the requirements document for the SAMS document and provides the performance standards to be included. Provided for Offeror review and assistance in preparing certain sections of the RFP response.
- b) Appendix B - Basic Instructions to Offerors, Instructions For Proposal Preparation, and Notice to Offerors. Provided for Offeror use in preparing their proposals. Includes requirements that must be met in proposal preparation. Intended to provide needed information of an administrative nature.
- c) Appendix C - Formats for Financial Proposal. Offeror will review and provide information in all areas designated “_____” in Appendix C in accordance with specific instructions in “Proposal Submittal sections of solicitation. Offeror will return completed forms with the RFP response in both electronic format and hard copies as directed in Phase I and II of this proposal.
- d) Appendix D - Source Selection Process. Provided for Offeror review only. Intended to assist the Offeror in understanding how the Air Force will conduct the selection process.
- e) Appendix E-1 and E-2. **Not provided with Phase I RFP.**
- f) Appendix F - Authorizing Legislation. Provided for Offeror information only.

3.0 INSTRUCTIONS FOR PROPOSAL PREPARATION

(a) General Instructions

- (1) This section provides general guidance for preparing proposals as well as specific instructions on the format and content of the proposal. The Offeror's proposal must include all data and information requested and must be submitted in accordance with these instructions. The offer shall be compliant with the requirements as stated in the solicitation. Non-conformance with the instructions provided may result in an unfavorable proposal evaluation or rejection.
- (2) The proposal shall be clear, concise, and shall include sufficient detail for effective evaluation and for substantiating the validity of stated claims. The proposal should not simply rephrase or restate the Government's requirements, but rather shall provide convincing rationale to address how the Offeror intends to meet these requirements. Offerors shall assume that the Government has no prior knowledge of the Offeror's facilities and experience, and will base its evaluation on the information presented in the Offeror's proposal.
- (3) Elaborate brochures or documentation, binding, detailed art work, or other embellishments are not required
- (4) The proposal acceptance period is 180 days. The Offeror shall make a clear statement in their cover letter that the proposal is valid until this date.
- (5) The Government will retain one copy of all unsuccessful proposals. Unless the Offeror requests otherwise, the Government will destroy extra copies of such unsuccessful proposals.

(b) General Information

(1) Point of Contact

The Business Representative is the sole point of contact for this acquisition. Address any questions or concerns you may have to the Business Representative. Written requests for clarification may be sent to smcxpx.mil@losangeles.af.mil or the following address:

SMC/XPX (Attn: Ms Ann Justice)
2420 Vela Way, Suite 1467
El Segundo, CA 90245.

(2) Debriefings

The Business Representative will promptly notify Offerors of any decision to exclude them from the competitive range, whereupon they may request and receive a debriefing. Unsuccessful Offerors in the competitive range will be notified of the source selection

decision. Upon such notification by the Business Representative, unsuccessful Offerors may request and receive a debriefing.

(3) Discrepancies

If an Offeror believes that the requirements in these instructions contain an error, omission, or are otherwise unsound, the Offeror shall immediately notify the Business Representative in writing with supporting rationale. The Offeror is reminded that the Government reserves the right to award this effort based on the initial proposal, as received, without discussion.

(4) Organization/Number of Copies/Page Limits

The Offeror shall prepare the proposal as set forth in the Submittal Requirements section for each Phase.

(5) Page Limitations

Page limitations shall be treated as maximums. If exceeded, the excess pages will not be read or considered in the evaluation of the proposal and (for paper copies) will be returned to the Offeror as soon as practicable. Page limitations shall be placed on responses to Evaluation Notices (ENs). The specified page limits for EN responses will be identified in the letters forwarding the ENs to the Offerors. When both sides of a sheet display printed material, it shall be counted as 2 pages. Each page shall be counted except the following: maps, pictures, drawings, renderings, and the like.

(6) Cross Referencing

To the greatest extent possible, each volume shall be written on a stand-alone basis so that its contents may be evaluated with a minimum of cross referencing to other volumes of the proposal. Information required for proposal evaluation not found in its designated volume, will be assumed to have been omitted from the proposal. Cross referencing within a proposal volume is permitted where its use would conserve space without impairing clarity.

(8) Glossary of Abbreviations and Acronyms

Each volume shall contain a glossary of all abbreviations and acronyms used, with an explanation for each. Glossaries do not count against the page limitations for their respective volumes.

(9) Page Size and Format

(a) Page size shall be 8.5 x 11 inches, not including foldouts. Page format will be single-spaced typed and present a professional appearance. Except for the reproduced sections of the solicitation document, the font size shall be no less than 12 point Times New Roman. Use at least 1 inch margins on the top and bottom and 3/4 inch side margins.

Pages shall be numbered sequentially by volume. These page format restrictions shall apply to responses to ENs.

(b) Legible tables, charts, graphs and figures shall be used wherever practical to depict organizations, systems and layout, implementation schedules, plans, etc. These displays shall be uncomplicated, legible and shall not exceed 11 by 17 inches in size. Foldout pages shall fold entirely within the volume, and foldout pages may only be used for large tables, charts, graphs, diagrams and schematics not for pages of text. For tables, charts, graphs and figures, the text shall be no smaller than 10 point Times New Roman.

(10) Binding and Labeling

Each volume of the proposal should be separately bound in a three-ring loose leaf binder, which shall permit the volume to lie flat when open. Staples shall not be used. A cover sheet should be bound in each book, clearly marked as to volume number, title, copy number, solicitation identification and the Offeror's name. The same identifying data should be placed on the spine of each binder. All unclassified document binders shall have a color other than red or other applicable security designation colors. Be sure to apply all appropriate markings including any such as Restriction on Disclosure and Use of Data and Disclosure, Protection, and Marking of Developer Bid or Proposal Information and Source Selection Information.

(11) Electronic Offers

Electronic copies may be provided on CD ROM. Use separate files to permit rapid location of all portions, including exhibits, annexes, and attachments, if any. Offeror electronic submittals shall use IBM-compatible, virus-free CD ROMS. The electronic copies of the proposal shall be submitted in a format readable by Microsoft (MS) Word 97, MS Excel 97, MS-Project 98, and MS-Power Point 97, as applicable.

4.0 NOTICES TO OFFERORS

a. Solicitation Requirements. All the requirements specified in the solicitation are mandatory, unless otherwise stated. By submitting a proposal the Offeror is representing that it will perform all the requirements specified in the solicitation. Do not merely reiterate the objectives or reformulate the requirements specified in the solicitation.

b. Single-Firm Developer. The Offeror shall be a single-firm developer or a principal member in a development team. For the purposes of this RFP, the distinction between a “single-firm developer” and a “development team” is that a single-firm developer would manage the project under the direction of a single principal member. By contrast, a development team is a single business entity such as a joint venture or partnership, made up of two or more principal firms or members. To compete for this project, a development team must commit to work with the Air Force as a single business entity (Offeror). The term “principal member” means a team member with an identified ownership interest in the team’s operation and related management responsibilities. The principal member concept allows newly formed teams to compete based on the experience of their respective principal members.

c. Reportable Events. The following is a listing of events that, if any occur, must be reported at once by an Offeror responding to this solicitation. Failure to report an event listed below would result, at the sole discretion of the Air Force, in an immediate disqualification of the submitting Offeror from this process. These events are:

1. Change in the identity of team members
2. Key employee resignations
3. Changes in commitments in the project team
4. Bankruptcy/reorganization of any of the participating entities of Offeror’s proposal
5. Default on debt instrument
6. Twenty (20) percent decrease in net worth/owner’s equity
7. Twenty (20) percent decrease in assets
8. Twenty (20) percent increase in liabilities
9. A sale of a portion or all of the Offeror’s or participating entities interest in said entities.
10. Litigation actual, pending or threatened that will materially affect the Offeror’s ability to successfully complete the transaction
11. Judgment against the Offeror imposed by any state or federal local taxing authority.
12. Other material events that will affect the Offeror’s ability to complete the transaction

d. Penalty for false Statements

Responses must set forth full, accurate, and complete information as required by this solicitation (including attachments). Examine the entire solicitation carefully. The penalty for false statements is prescribed in 18 U.S.C. 1001.

e. Proposal costs.

The Air Force will NOT reimburse Offerors for any costs associated with submitting proposals in response to this solicitation.

f. Mandatory Forms and Offeror Cover letter

Offeror shall complete all mandatory forms and the Offeror Cover letter identified within the solicitation. This cover letter must be signed by an individual with authority to bind the Offeror.

g. Status of Air Force Efforts to Obtain Relief from "Scoring of Lease"

During the Industry Day briefing, the Air Force described concerns inherent in a deal that included a lease back provision. The issue relates to an Office of Management and Budget (OMB) requirement to "score" funds to pay the lease. In the case of this project, the Air Force's long-term obligation for a lease is estimated using the net present value of the annual lease payments, interest, and other payments. Scoring rules require the Air Force to pay the entire amount up front.

Subsequently, we have been engaged in discussions with Air Force leadership pursuing ideas that we believe will relieve the project of the requirement to score the lease, hence making this a viable funding mechanism. Offerors are hereby advised that while the discussions have been promising, the possible solutions have not been approved by either the Department of Defense, or OMB, the ultimate decision makers.

OFFEROR'S SAMPLE COVER PAGE

Offeror shall prepare a cover letter to accompany their proposal that addresses the following items:

FROM: _____

(Name of Company) (Point of Contact)

(Street Address) (Telephone Number)

(City, State and Zip Code) (Fax Number)

1. Period for Acceptance of offer. The Offeror agrees, if this offer is accepted within ____ calendar days (180 calendar days unless a different period is inserted by Offeror) from the date established for receipt of proposals, to continue in the SAMS project competition and furnish a Phase II proposal to complete the SAMS complex.

2. Review of amendment #1 is acknowledged.

3. Statement of Authority to Release Proprietary Information:

I certify by my signature below that I have read the SAMS solicitation and understand and approve the release of data to non-Federal Government advisors (i.e. city officials) for the purpose of providing advisory services in the evaluation of this solicitation.

I certify by my signature below that I have read the SAMS solicitation and understand and approve of the release of the proposals to Malcolm Pirnie Inc. and their subcontractors (Basile, Baumann, Prost and Associates, Inc., and Robbins, Jorgensen, Christopher) for the purpose of providing advisory/consulting services in the Air Force's evaluation of this solicitation. I further understand that said Contractor has signed a non-disclosure/confidentiality agreement and will not disclose any information contained in this proposal submission.

4. I hereby certify that to the best of my knowledge no potential conflict of interest exists between _____ (Name of Business) and Malcolm Pirnie Inc. and their subcontractors (Basile, Baumann, Prost and Associates, Inc., and Robbins, Jorgensen, Christopher). As a condition of this offer, should my firm be the Selected Offeror and awarded the resultant Business Arrangement by the Air Force, my firm will not engage Malcolm Pirnie Inc. and their subcontractors for any consulting services directly related to this potential business arrangement, within two years of this award.

If over the last two years we have engaged Malcolm Pirnie Inc. and their subcontractors (Basile, Baumann, Prost and Associates, Inc., and Robbins, Jorgensen, Christopher), we will attach a schedule of engagements.

5. I hereby certify that I have the authority to bind the Offeror.

Authorized representative and signatory for Offeror:

Print Name Title Date

Signature